

**SECTION 231 -- SENDING THE ANNUAL PROGRAM PERFORMANCE REPORT TO THE
PRESIDENT AND CONGRESS.**

231 Sending the annual program performance report to the President and Congress.

Summary of Requirement: The agency head must send the annual report to the President and Congress no later than 150 days after the end of the fiscal year covered by the report. An agency is allowed to submit the FY 2000 and 2001 annual reports no later than 180 days after the end of the respective fiscal year.

Every agency submitting an annual plan to Congress must prepare and transmit an annual report for the fiscal year covered by the plan. An annual report need not be prepared if an agency ceases operations prior to the transmittal date.

Your annual report must be transmitted no later than 150 days following the end of the fiscal year covered by the report. The Reports Consolidation Act of 2000 requires your agency to submit the annual reports for fiscal year 2000 and 2001 no later than 180 days from the end of the fiscal year. For most agencies, the fiscal year 2000 report is due by March 29, 2001, and the fiscal year 2001 report is due by March 29, 2002. Subsequent year reports will be due by February 27 of the year following the end of the fiscal year. An annual performance report combined with an annual performance plan or combined with an accountability report must be transmitted within the time specified by the Reports Consolidation Act.

Agencies having a fiscal year period other than October 1 through September 30 submit their annual reports within 150 days (or 180 days for the fiscal year 2000 and 2001 reports). (GPRC required all agencies to submit reports by March 31 of the following year.) These agencies are encouraged to transmit their reports earlier, allowing the report information to be used by Congress in reviewing agency programs and resource requests.

Your annual report is sent to the President and Congress. GPRC requires that the report be transmitted by the head of your agency.

A copy of your annual report should now also be sent directly to the Director of OMB. This will provide a distribution for a stand-alone annual report similar to that for a performance and accountability report. An advance copy of the annual report is sent to the appropriate Resource Management Office in OMB at least ten days before its transmittal to Congress and the President.

Please note that in preparing the President's budget for FY 2003, OMB will use actual performance information for FY 2001, as it appears in your annual plan. The data on actual FY 2001 performance must be consistent between the annual report and annual plan, and both annual plan and report data must be consistent with the President's budget.

Your transmittal letters to Congress are addressed to the Speaker of the House of Representatives and the President and President pro tempore of the Senate. Copies of the Congressional transmittal are sent to the chairmen and ranking minority members of the budget committees, relevant authorization and oversight

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committees, appropriation subcommittees, and the chairman and ranking minority member of the Senate Committee on Governmental Affairs and the House Government Reform Committee. At a minimum, you should provide a copy of the annual report to all those in Congress receiving a copy of your agency's annual plan.

Following its transmittal to the President and Congress, your agency's annual report should be made available to the public. You should use electronic means, such as by posting it on your agency's website, to make the report quickly and readily accessible.

The Reports Consolidation Act of 2000 requires that an agency merging the annual report with its accountability report send the combined document to the President, Congress, and the Director of OMB. The combined document is titled the Performance and Accountability Report. A performance and accountability report is sent by the agency head. An agency may add other signatories, such as the Chief Financial Officer, to the transmittal of a performance and accountability report, thus recognizing a shared responsibility within the agency for the performance reported and any future performance commitments.

If you choose to combine your annual report with your annual plan, changes to your customary distribution for the annual plan may be needed. A combined plan and report must be sent to the Speaker of the House and the President and President pro tempore of the Senate. (Annual plans need not be sent to these officials.) A combined plan and report must also be officially sent to the President. The transmitting official for the combined plan and report must be the agency head. (Annual plans may be sent to Congress by an official other than the agency head; see section 220.2(a).) Agencies should coordinate with the appropriate OMB Resource Management Office on a schedule for providing an advance copy of the combined annual plan and report.